

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
of the Board of Patent Appeals and Interferences

Can-164

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08/26/98

In re Patent Application of

MACLEAN et al

Serial No. 08/776,350

Filed: April 18, 1997

Title: TREATMENT OF CANCER USING HSV  
MUTANT

Atty Dkt.: 117-231

C# M#

Group Art Unit: 1642

Examiner: Ungar

Date: August 17, 1998

Honorable Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Sir:

☒ **NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Appeals from the decision dated  
March 18, 1998 of the Examiner twice/finally

rejecting claims 20, 22, 24-30, 32-34 and 36-42 (\$ 310.00 ) \$ 310.00

☐ An appeal **BRIEF** is attached in triplicate in the pending appeal of the  
above-identified application (\$ 310.00 ) \$ 0.00

☐ An **ORAL HEARING** is requested under Rule 194 (\$ 270.0 ) \$ 0.00  
0  
(due within two months after Examiner's Answer)

☐ Credit for fees paid in prior appeal without decision on merits \$ ( 0.00 )

☐ A reply brief is attached in triplicate under Rule 193(b) (no fee)

☒ Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s) (\$110.00/1 month; \$400/2 months; \$950.00/3 months; \$1,510/4  
months) \$ 400.00

**SUBTOTAL** \$ 710.00

-\$ ( 0.00 )

☐ Applicant is a "small entity"; enter 1/2 of subtotal and subtract  
☐ "small entity" statement attached

**SUBTOTAL** \$ 710.00

Less month extension previously paid on \$ ( 0.00 )

**TOTAL FEE ENCLOSED** \$ 710.00

08/19/1998 SLIMMS 00000167 08776350

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.  
01 FC-119 Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should  
02 FC-116 have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A  
duplicate copy of this sheet is attached.

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**NIXON & VANDERHYE P.C.**

By Atty: Arthur R. Crawford, Reg. No. 25,327

Signature: Arthur R. Crawford 31,352